

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NE/S St. Timothy's La. 1/65' from pt. of beg. to c/1 Frederick Av. 17 St. Timothy's Lane 1st Election District 1st Councilmanic District  
Eric H. Naviasky, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 15 ft. in lieu of the required 30 ft. for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of October, 1992 that the Petition for a Zoning Variance from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 15 ft., in lieu of the required 30 ft. for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING  
Date 10/15/92  
By Mr. Grant

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113, Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 15, 1992

Mr. and Mrs. Eric H. Naviasky  
17 St. Timothy's Lane  
Catonsville, Maryland 21228

RE: Petition for Administrative Zoning Variance  
Case No. 93-87-A

Dear Mr. and Mrs. Naviasky:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.



Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County  
for the property located at 17 SAINT TIMOTHY'S LANE

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned (legal owner(s) of the property) in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C (B.C.Z.R. TO PERMIT A REAR YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30').

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease  
Type or Print Name  
Signature  
Address  
City  
State  
Zip Code  
Type or Print Name  
Signature  
Address  
City  
State  
Zip Code  
Type or Print Name  
Signature  
Address  
City  
State  
Zip Code

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County that the subject matter of this petition be set for a public hearing, to be held on the 15th day of October, 1992, at 10:00 AM, in the Zoning Hearing Room, 111 West Chesapeake Avenue, Baltimore, Maryland 21204.

REVIEWED BY: JCM DATE: 9-9-92  
ESTIMATED POSTING DATE: 9-27-92  
ITEM #: 97

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) here competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 17 SAINT TIMOTHY'S LANE, CATONSVILLE, MD 21228.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (previous variance or present affidavit)  
TO PERMIT AN ADDITION WITH A REAR YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30'. THIS ADDITION WILL BE TO THE EXISTING KITCHEN AND IS THE LOGICAL REFINEMENT. WE NEED THE ADDITIONAL LIVING AREA FOR OUR GROWING FAMILY.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a protesting and advertising fee and may be required to provide additional information.

Eric H. Naviasky  
Margaret M. Naviasky

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 9th day of Sept 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Eric H. Naviasky & Margaret M. Naviasky

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal:  
9/14/92  
My Commission Expires: 4-1-96

August 24, 1992

ZONING DESCRIPTION

Beginning at a point located South 77 degrees 09 minutes 19 seconds West 20.23 feet from a stone at the end of the second line and running with the course of this description referred to the True Meridian and binding on part of said second line South 77 degrees 09 minutes 19 seconds West 124.79 feet thence for lines of division through Parcel 2 and 3 North 15 degrees 28 minutes 00 seconds West 109.46 feet North 74 degrees 32 minutes 00 seconds East 100.20 feet 110.20 feet, as now corrected, North 50 degrees 05 minutes 25 seconds East 20.40 feet to the center line of a 15 foot entrance drive to be used in common with adjacent property owners leading out to Del Ray Avenue on center line North 71 degrees 46 minutes East 105.59 feet to the West side of Del Ray Avenue as proposed to be widened to 60 feet binding on west side South 18 degrees 50 minutes East 7.50 feet binding on the south side of the above mentioned 15 foot entrance drive South 71 degrees 46 minutes West 83.92 feet South 50 degrees 05 minutes 25 seconds West 26.33 feet and South 14 degrees 16 minutes East 106.31 feet to the place of beginning. Being the lot of ground recorded among the Land Records of Baltimore County in Liber EHK, JR. No. 6317 Folio 048 containing 16868 square feet. Also known as 17 Saint Timothy's Lane Catonsville Maryland, 21228 and located in the first Election District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 13T  
Posted for: Variance  
Petitioner: Eric & Margaret Naviasky  
Location of property: 17 Saint Timothy's Lane (17) 705' x 170'  
Location of Sign: Front 200' sq. on property R.R. corner  
Remarks:  
Posted by: Margaret Naviasky  
Date of return: 10/1/92  
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 9-9-92 ACCOUNT R001-6150  
AMOUNT \$ 85.00  
RECEIVED FROM: MARGARET NAVIASKY  
FOR: Admin. Variance  
17 SAINT TIMOTHY'S LANE  
DE-55  
TOTAL: \$85.00  
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

9/16/92 H7300097  
PUBLIC HEARING FEES QTY PRICE  
010 - ZONING VARIANCE (IRL) 1 X \$50.00  
080 - POSTING SIGNS / ADVERTISING 1 X \$35.00  
TOTAL: \$85.00  
LAST NAME OF OWNER: NAVIASKY Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

October 8, 1992

(410) 887-3353

Mr. & Mrs. Eric H. Naviasky  
17 Saint Timothy's Lane  
Catonsville, MD 21228

RE: Item No. 97, Case No. 93-87-A  
Petitioner: Eric H. Naviasky, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Naviasky:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate that all appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 9th day of September, 1992

*Carl Jaron*  
ARNOLD JARON  
DIRECTOR

Received By:

*W. Carl Richardson Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Eric H. Naviasky, et ux

Petitioner's Attorney:

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature *Walter A. Maynard* Date *9/28/92*

Project Name Waiver Number Zoning Issue Meeting Date

Stonegate at Patapsco (A2real Property) 6-1-92

90476 ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

Walter T. Anderson and Charles E. Maynard	100	9/21/92	<i>comment</i>
DED DEPRM RP STP TE			
✓ Oliver Jones/Long Green Hotel	101		NC
DED DEPRM RP STP TE			
✓ William G. Zimmermann for Estate of A.V. Williams	86		NC
DED DEPRM RP STP TE			
✓ Lorenz Construction, Inc.	87		NC
DED DEPRM RP STP TE			
✓ Gerard E. and Susan L. Quinn	88		NC
DED DEPRM RP STP TE			
✓ Michael S. and Margaret L. Craft	89		NC
DED DEPRM RP STP TE			
✓ Eric H. and Margaret W. Naviasky	97		NC
DED DEPRM RP STP TE			
✓ Abrams Development Group	98		NC
DED DEPRM RP STP TE			
✓ Richard H. O'Connell	99		NC
DED DEPRM RP STP TE			

COUNT 9

FINAL TOTALS

COUNT 10

*Rec'd jw 9/29/92*

SHA Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 97 (JCA)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*David Ramsey* 9/24/92  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 22, 1992

FROM: Ervin Mc Daniel, Chief  
Office of Planning and Zoning  
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee  
September 21, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Lorenz Construction Inc. Item No. 87 ✓  
Michael and Margaret Craft, Item No. 89 ✓  
Eric and Margaret Naviasky, Item No. 97 ✓

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: *Ervin McDaniel*

EMcd/FM:

ITEM87/ZAC1

*Rec'd jw 9/29/92*

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature *Walter A. Maynard* Date *9/28/92*

Project Name Waiver Number Zoning Issue Meeting Date

Stonegate at Patapsco (A2real Property) 6-1-92

90476 ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

Walter T. Anderson and Charles E. Maynard	100	9/21/92	
DED DEPRM RP STP TE			
✓ Oliver Jones/Long Green Hotel	101		WIC
DED DEPRM RP STP TE			
✓ William G. Zimmermann for Estate of A.V. Williams	86		MT
DED DEPRM RP STP TE			
✓ Lorenz Construction, Inc.	87		NIC
DED DEPRM RP STP TE			
✓ Gerard E. and Susan L. Quinn	88		NIC
DED DEPRM RP STP TE			
✓ Michael S. and Margaret L. Craft	89		NIC
DED DEPRM RP STP TE			
✓ Eric H. and Margaret W. Naviasky	97		NIC
DED DEPRM RP STP TE			
✓ Abrams Development Group	98		WIC
DED DEPRM RP STP TE			
✓ Richard H. O'Connell	99		NIC
DED DEPRM RP STP TE			

COUNT 9

FINAL TOTALS

COUNT 10

*Rec'd jw 9/29/92*

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature *Walter A. Maynard* Date *9/28/92*

Project Name Waiver Number Zoning Issue Meeting Date

✓ Michael S. and Margaret L. Craft	89	9/21/92	<i>NO COMMENTS</i>
DED DEPRM RP STP TE			
✓ Eric H. and Margaret W. Naviasky	97		<i>NO COMMENTS</i>
DED DEPRM RP STP TE			
✓ Abrams Development Group	98		<i>NO COMMENTS</i>
DED DEPRM RP STP TE			
✓ Richard H. O'Connell	99		<i>NO COMMENTS</i>
DED DEPRM RP STP TE			

COUNT 9

Terry A. and Joan K. Greenwood	58	9/8/92	<i>Written Comments</i>
DEPRM STP (omitted in error)			
John Dietsch	61		<i>Written Comments</i>
DEPRM			
Edward L. and Francine M. Wickman	77		<i>In process</i>
DEPRM			
Charles W. Berg And Willie D. Graves	78		<i>In process</i>
DEPRM			

COUNT 4

FINAL TOTALS

COUNT 29

\*\*\* END OF REPORT \*\*\*

*Rec'd jw 9/29/92*

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature *Walter A. Maynard* Date *9/30/92*

Project Name Waiver Number Zoning Issue Meeting Date

✓ Walter T. Anderson and Charles E. Maynard	100	9/21/92	
DED DEPRM RP STP TE			
✓ Oliver Jones/Long Green Hotel	101		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ William G. Zimmermann for Estate of A.V. Williams	86		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Lorenz Construction, Inc.	87		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Gerard E. and Susan L. Quinn	88		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Michael S. and Margaret L. Craft	89		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Eric H. and Margaret W. Naviasky	97		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Abrams Development Group	98		<i>No Comment</i>
DED DEPRM RP STP TE			
✓ Richard H. O'Connell	99		<i>No Comment</i>
DED DEPRM RP STP TE			

COUNT 9

FINAL TOTALS

COUNT 9

\*\*\* END OF REPORT \*\*\*

RECEIVED  
OCT 5 1992  
ZONING OFFICE



Eric H. Navinsky and Margaret H. Navinsky  
17 Saint Timothy's Lane  
Catoctin, Maryland 21228

Re: CASE NUMBER: 93-87-A  
LOCATION: 17 Saint Timothy's Lane, 765' from point of beginning to c/l of Frederick Avenue  
1st Election District - 1st Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 27, 1992. The closing date is October 13, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief; (b) deny the requested relief; or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Zoning Commissioner, Baltimore County



93-87-A 97

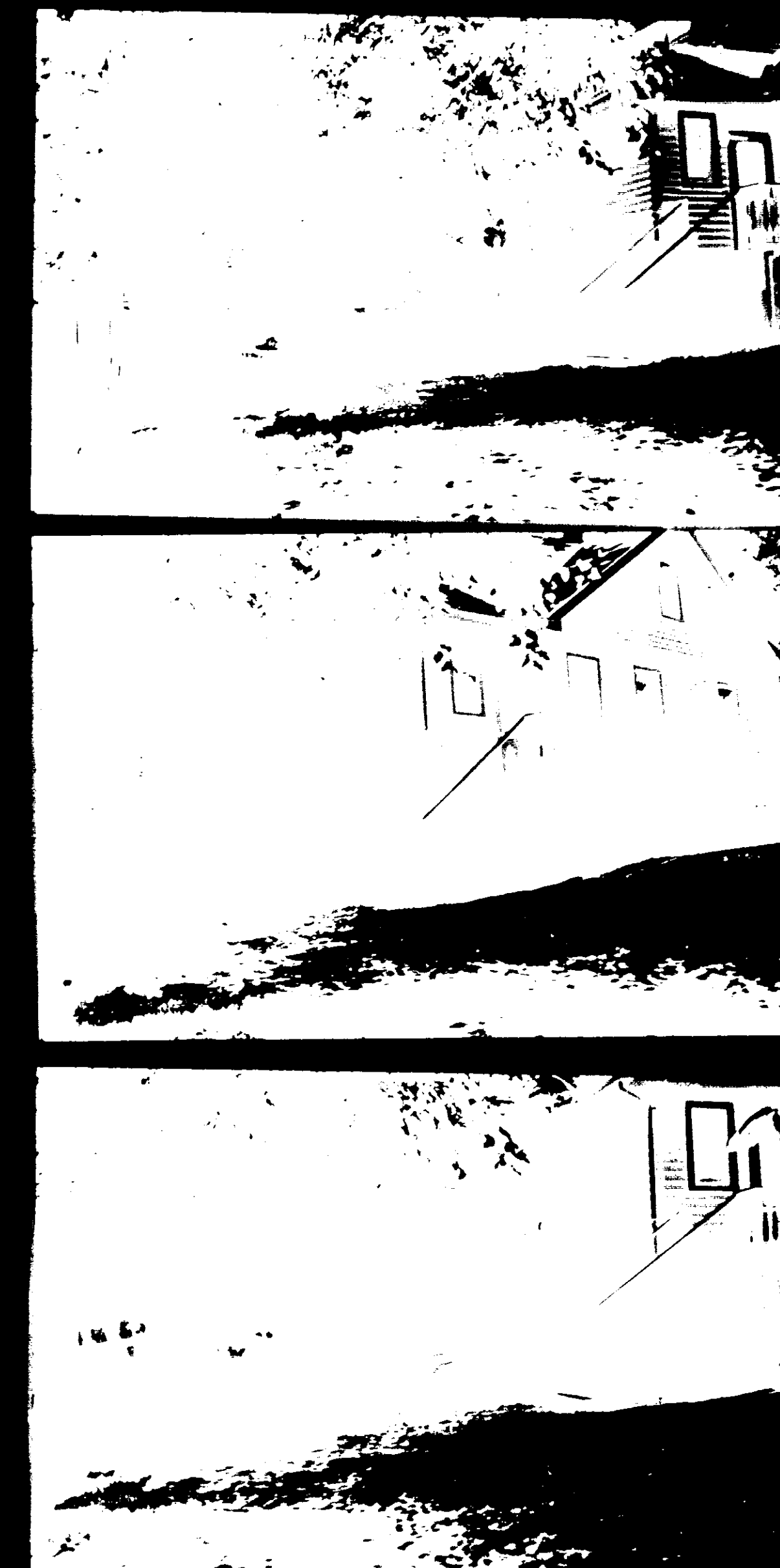
We the undersigned residing at 16 Delray Avenue, have reviewed the proposed addition to 17 Saint Timothy's Lane and have no objections to the proposed addition and request the Zoning Commission grant the same.

Victor DiPace 8/28/92 (Date)  
Mr. Victor DiPace  
Sharon DiPace 8/28/92 (Date)  
Mrs. Sharon DiPace

93-87-A 97

We the undersigned residing at 19 Saint Timothy's Lane, have reviewed the proposed addition to 17 Saint Timothy's Lane and have no objections to the proposed addition and request the Zoning Commission grant the same.

William M. Goodwin 9/2/92 (Date)  
Mr. William Goodwin  
Ruth J. Goodwin 9/2/92 (Date)  
Mrs. William Goodwin



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 17 SAINT TIMOTHY'S LANE

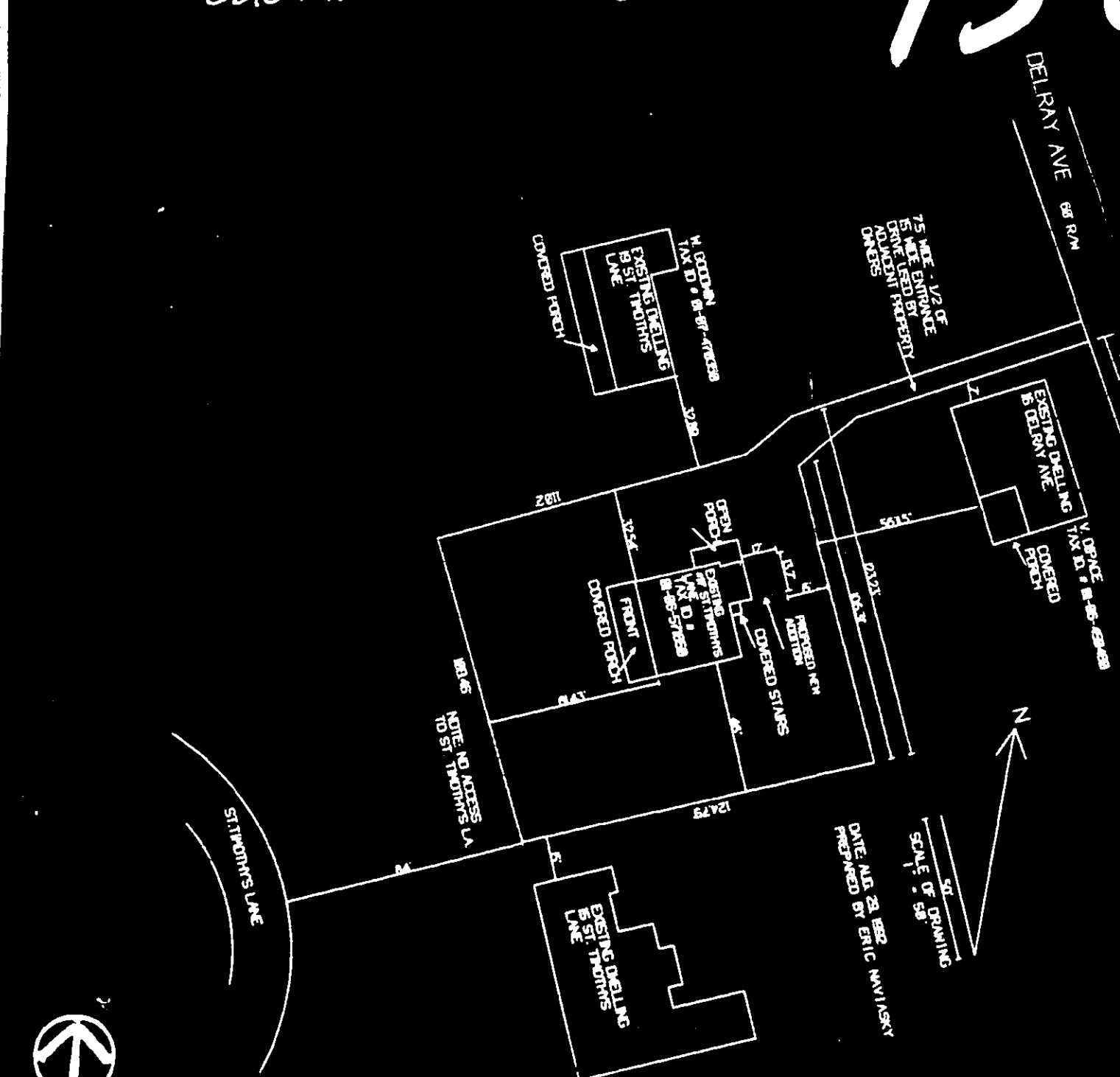
Subdivision name: NONE

plat book# NONE, folio# , lot# , section#

OWNER: ERIC & MARGARET NAVINSKY

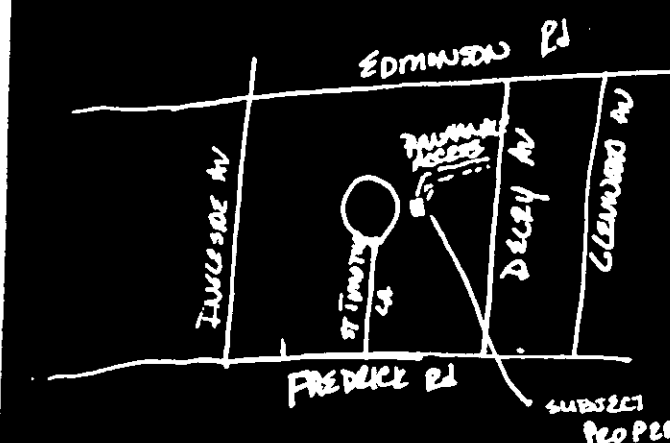
93-87-A

see pages 5 & 6 of the CHECKLIST for additional required information



North  
date: 8/8/92  
prepared by: EHN

Scale of Drawing: 1" = 50'



Vicinity Map  
scale: 1" = 1000'

LOCATION INFORMATION

Councilmanic District: 1

Election District: 1

1" = 200' scale map#: SW F3

Zoning: D.2. -55

Lot size: 16,868' square feet

acreage  
SEWER: ☒ public ☐ private  
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ YES ☒ NO

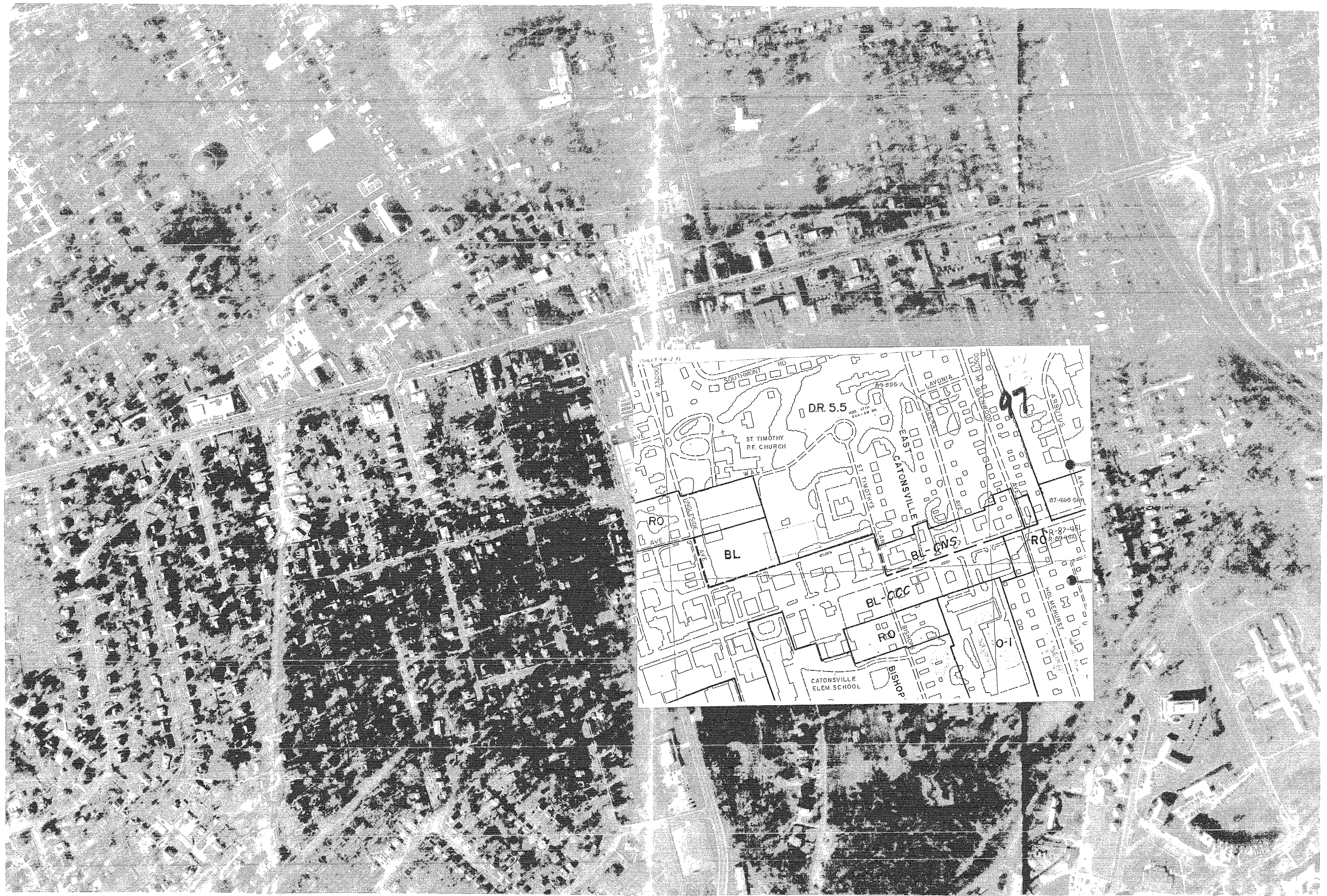
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

JCM 47





93-87-A

47

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	CATONSVILLE	S.W.
DATE OF PHOTOGRAPHY JANUARY 1986		3-F